

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA**

U.S.A. vs. Kevin Darrell Smith

Docket No. 5:21-CR-62-1M

Petition for Action on Conditions of Pretrial Release

COMES NOW Shawn M. Lyon, U.S. Probation Officer of the court, presenting an official report upon the conduct of defendant, Kevin Darrell Smith, who was placed under pretrial release supervision by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, sitting in the Court at Greenville, on the 14th day of May, 2021. The government appealed the Magistrate Judge Order and on May 8, 2021, Chief U.S. District Judge Richard E. Myers II denied the appeal. Subsequently, pretrial release supervision commenced May 8, 2021.

On April 20, 2021, a Petition for Action was filed for two positive urinalysis screens for methamphetamine. A bond hearing was conducted on May 14, 2021, and the defendant was continued on supervision under the previously imposed conditions of release.

On June 28, 2022, the defendant appeared before Chief U.S. District Judge Richard E. Myers II for arraignment and supervision was continued under existing conditions.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

Since May 14, 2021, Smith has successfully completed his substance abuse treatment, continually provided negative urinalysis screenings, and maintained gainful employment with Butterball, LLC. Additionally, there have been no detected violations of home detention. Based on the above information, the probation officer respectfully recommends that the conditions of release be modified to remove the home detention with location monitoring requirement. Counsel for the government and the defendant have no objections to this proposed modification.

PRAYING THAT THE COURT WILL ORDER that the conditions of pretrial release requiring home detention with location monitoring are hereby STRICKEN. All other conditions of pretrial release shall continue as originally ordered.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

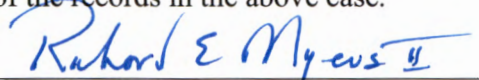
/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
Supervising U.S. Probation Officer

/s/ Shawn M. Lyon
Shawn M. Lyon
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-467-5110
Executed On: October 11, 2022

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ORDER OF THE COURT

Considered and ordered the 12th day of October, 2022, and ordered filed and made part of the records in the above case.



Richard E. Myers II
Chief United States District Judge